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MAY 13 2011

DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE



STATE OF WASHINGTON APPLICATION TO ENTER A WATER RIGHT INTO THE TRUST WATER RIGHT PROGRAM

NOTE: THIS FORM IS ONLY TO BE USED FOR THE
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

SWC -4324 (S4-*08331CWRIS)

(Check all that apply.)

- ☐ Lease
☒ Purchase
☐ Donation
☐ Other

Explain: _____

☐ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____
END DATE ____/____/____

FOR OFFICE USE ONLY	
FILE No. <u>CS4-SWC 04324</u>	WRIA <u>49</u>
DATE ACCEPTED <u>05/31/11</u>	BY <u>[Signature]</u>
FEE \$ <u>[Signature]</u>	REC'D <u>05/13/2011</u>
CHECK No. <u>[Signature]</u>	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Washington Water Trust	PHONE NO. (509) 925-5600	FAX NO. (509) 925-5603
ADDRESS 222 East 4th Ave, Suite 109		
CITY Ellensburg	STATE WA	ZIP CODE 98926

CONTACT NAME (IF DIFFERENT FROM ABOVE) Greg McLaughlin	PHONE NO. (509) 925-5600	FAX NO. (509) 925-5603
ADDRESS 222 East 4th Ave, Suite 109		
CITY Ellensburg	STATE WA	ZIP CODE 98926

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER SWC -4324 (S4-*08331CWRIS)	RECORDED NAME(S) Carl C. & Margaret E. Petersen
DO YOU OWN THE RIGHT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IF NO, PROVIDE OWNER(S) NAME and ADDRESS: Stephanie Petersen 410 Pharr Rd Riverside, WA 98849
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY	
WATER RIGHT NO. <u>54-*08331CWRIS</u>	FILE (contract) NO. <u>CS4-SWC 04324</u>

PURCHASE

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s): Confederated Tribes of the Colville Reservation	

WATER RIGHT DESCRIPTION *

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Okanogan River	Lot 8			7	35	27	6650080000	

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	0.33 cfs	-	-

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
Instream flow – Primary Reach	109.8
Instream flow- Secondary Reach	54.9

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
Lots 7 and 8 of Pfarr Orchard Tracks according to the plat thereof on file and of record in the office of the Auditor of Okanogan County, and North 20 acres of Lot 2, Sec. 7, Twp. 35 N., Rge. 37 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
		7	35 N.	37 E.	Okanogan	3527074006 6650070000 6650080000	24.5
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: Stephanie Petersen							

* If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

6. Place of Use (continued)

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
Primary Reach: The Okanogan River, from a point located 1,452 ft east and 302 ft south to a point located 1,077 ft east and 2,112 ft south of the NW corner of Sec. 7, T. 35 N., R. 37 E.W.M.
Secondary Reach: From a point located 1,077 ft east and 2,112 ft south of the NW corner of Sec. 7, T. 35 N., R. 37 E.W.M. to the confluence of the Okanogan and Columbia River.

7. Remarks and Other Relevant Information:

Washington Water Trust is requesting a transfer (change) of this irrigation water right to instream use on behalf of the Stephanie Peterson in perpetuity. This is part of a land and water transaction conducted via funds from the Colville Treaty Fish Accord funds provided to the Confederated Tribes of the Colville Reservation by the Bonneville Power Administration.

This Change Application seeks to effectuate a transfer of up to 0.33 cfs and 109.8 af/year of the water right to be used exclusively for instream flows and enhancement and maintenance of fisheries as allowed under RCW Chapters 90.03, 90.42 and 90.54. Water use changes associated with this application will provide environmental benefits to the Upper Columbia Steelhead ESU by providing critical cool water refugia via side channel and onsite habitat improvements on the property and in the neighboring side channel. Thus this transfer should receive expedited processing under WAC 173-152-050(2)(b) and (3)(a).

Stephanie Petersen would like to place all of the water associated with certificate number S4-*08331CWRIS into the Trust Water Right Program, included as Exhibit A. This right currently authorizes the use of 0.33 cfs of Okanogan River water for the irrigation of 24.5 acres. This water right has historically been used to irrigate pasture and alfalfa on the Petersen properties. Through the course of the research it was determined that the majority of this water right was derived from a well, with additional water served from the Okanogan River from the historic surface water right. The well log is attached as Exhibit B. This represents a partial *de facto* change in the original surface water right to a ground water source in hydraulic connectivity to the original source, and will nevertheless be included as trust water to supplement a cold water refuge side channel. We have attached a beneficial use summary in Exhibit C to delineate calculations of beneficial use from pump records according to guidance provided by Ecology. Photos of the property are also included in Exhibit D. Aerial photos have been provided in Exhibit E to help corroborate past beneficial use. A signed Landowner Agreement is included in Exhibit F.

Washington Water Trust intends to protect this trust water right as instream flow in the Okanogan River, and will publish public notice in the Omak Chronicle. An affidavit of publication will be mailed to Ecology's Central Regional Office upon receipt.

List of Exhibits

Exhibit A: Water Rights

Exhibit B: Well Log for currently used water

Exhibit C: Summary Report of Beneficial Use Assessment

Exhibit D: Aerial Photos of Property

Exhibit E: 2006 Aerial Photography File Demonstrating Beneficial Use from 2006

Exhibit F: – Copy of Signed Landowner Contract to lease Water Rights


Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If

assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.


(Applicant)

5 / 12 / 11
(Date)

(Water Right Holder)

(Date)

(Land Owner(s) of Existing Place of Use)

(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ ADDITIONAL SIGNATURES REQUIRED

☐ SECTION _____ IS INCOMPLETE

☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____